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August 2, 2019

Via ECF & Electronic Mail

Hon. Katherine Polk Failla, U.S.D.J.
United States District Court, S.D.N.Y.
40 Foley Square, Room 2103
New York, New York 10007
E: Failla_NYSDChambers@nysd.uscourts.gov

Re: Orue et al. v. Artisanal Fromagerie & Bistro LLC, et al.
Civil Action No.: 15 Civ. 5727 (KPF)

Dear Judge Failla:

Pursuant to the telephone conference held with the Court on July 18, 2019 and following up on the letter written by Defense Counsel dated July 24, 2019 (*see* ECF No. 174), Plaintiffs write to inform the Court that Defendant Sarid Drory and guarantor Stephanie Schulman are now officially in default of the their payment obligations outlined in the Settlement Agreement and subsequent addendums and stipulations. *See* ECF Nos. 78, 150, and 170. Both Mr. Drory and Ms. Schulman have not made any payments to Plaintiffs since March 2019. According to the Settlement Agreement and Addendums, in case of default by Mr. Drory and Ms. Schulman, Plaintiff's Counsel was to provide notice to cure default to counsel and Ms. Schulman via electronic mail. *See* ECF No. 150. Plaintiffs provided official notice on July 18, 2019. The deadline to cure the default was August 1, 2019. Said notice and deadline was acknowledged by Defense Counsel in their July 24, 2019 letter. *See* ECF No. 174.

As of the date of this letter, \$50,000.00 of the agreed upon settlement with Defendant Drory remains outstanding. Ms. Schulman previously agreed to guarantee the entire amount of the outstanding settlement. *See* ECF No. 150. No payments have been made by Mr. Drory or Ms. Schulman since Plaintiffs' July 18, 2019 e-mail. As such, Plaintiffs respectfully request that the Court enter judgment against Defendant Sarid Drory for default, hold that Defendant Drory and Ms. Schulman have failed in their payment obligations, and hold that Ms. Schulman shall be jointly liable for the judgment amount. Both Mr. Drory and Ms. Schulman consent to the Court's entry of judgment against them. *See* ECF No. 150. We thank the Court for its time and consideration.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Arsenio Rodriguez". The signature is fluid and cursive, with a long horizontal stroke extending to the right. Below the signature, the name "Arsenio Rodriguez" is printed in a standard font.

Arsenio Rodriguez

cc: Counsel of Record (via ECF)